

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NICOLE BACCHIANO,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA, INC.  
and TEVA PHARMACEUTICALS,

Defendants.

Case No. 15-cv-05216 (FB)(VMS)

**STIPULATION FOR DISMISSAL WITHOUT PREJUDICE**

The parties plaintiff Nicole Bacchiano, and defendants Teva Pharmaceuticals USA, Inc., and Teva Women's Health, Inc. (d/b/a Teva Pharmaceuticals) ("Defendants"), hereby stipulate pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that this action be dismissed without prejudice and without costs or fees to any party. Defendants' stipulation is subject to and dependent upon Plaintiff's representation and agreement that any re-filing, or other prosecution, of any claim against any of the Defendants, shall be in this Court only. Defendants agree that the applicable statute of limitations is tolled as of the date plaintiff's Complaint was filed in this case.

Dated: January 28, 2016

Respectfully submitted,

/s/Kristen N. Sinnott (KS-7707)  
Joseph G. Dell, Esq. (7315)  
Kristen Sinnott, Esq. (7707)  
DELL & DEAN, PLLC  
*Attorneys for Plaintiff,*  
*Nicole Bacchiano*  
1225 Franklin Ave., Suite 450  
Garden City, NY 11530  
E-mail: jdell@triallaw.com  
E-mail: ksinnott@triallaw.com  
Tel: (516) 880-9700  
Fax: (516) 880-9707

/s/ Mary Lynn Tate  
Jeffrey F. Peck, Esq. (*pro hac vice*)  
Mary Lynn Tate, Esq. (*pro hac vice*)  
ULMER & BERNE LLP  
*Attorneys for Defendants,*  
*Teva Pharmaceuticals USA, Inc. and*  
*Teva Women's Health, Inc. d/b/a Teva*  
*Pharmaceuticals*  
600 Vine Street, Suite 2800  
Cincinnati, OH 45202  
E-mail: jpeck@ulmer.com  
E-mail: mtate@ulmer.com

Tel: (513) 698-5000

Fax: (513) 698-5001

/s/ Allan I Young

Allan I. Young, Esq.

PORZIO, BROMBERG & NEWMAN, P.C.

*Attorneys for Defendants,*

*Teva Pharmaceuticals USA, Inc. and*

*Teva Women's Health, Inc. d/b/a Teva*

*Pharmaceuticals*

156 West 56th Street

New York, NY 10019

E-mail: [aiyoung@pbnlaw.com](mailto:aiyoung@pbnlaw.com)

Tel: (212) 265-6888

Fax: (212) 957-3983